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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
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11 NICHOLAS BARKSDALE HOWARD,

12 Petitioner,

13 v.

14 RENEE BAKER, et al.,

15 Respondents.
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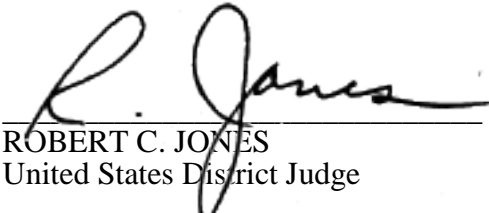
Case No. 3:16-cv-00631-RCJ-VPC

ORDER

17 The court found that part of ground 4 of the first amended petition (ECF No. 14) was
18 partially unexhausted. ECF No. 45. The court also noted that ground 3, a claim of insufficiency
19 of the evidence, likely is without merit unless compelling evidence supporting the claim existed
20 in the state-court record. Id. Petitioner has filed a notice (ECF No. 46) abandoning ground 3 and
21 the unexhausted part of ground 4. Good cause appearing;

22 IT THEREFORE IS ORDERED that respondents must file and serve an answer to the
23 remaining claims within forty-five (45) days of the date of entry of this order. The answer must
24 comply with Rule 5 of the Rules Governing Section 2254 Cases in the United States District
25 Courts. Petitioner may file a reply within forty-five (45) days of the date of service of the answer.

26 DATED: May 21, 2019

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28 ROBERT C. JONES
United States District Judge